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## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: MS AMENDMENT, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: 2/8/08 Name: Andrew D. Stover, Reg. No. 38,629 Signature:

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HOFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: GRYCHOWSKI ET AL.

Appln. No.: 10/774,751

Filed: February 9, 2004

For: VENTILATOR CIRCUIT AND THE  
METHOD FOR THE USE THEREOF

Examiner: Patel, Nahir B.

Art Unit: 3772

Confirmation No.: 6148

Attorney Docket No: 6298-449

MS AMENDMENT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

- ☒ Third Supplemental Information Disclosure Statement (in duplicate)
- ☒ Form PTO 1449
- ☒ Copy of one (1) cited reference (D1), and
- ☒ Return Receipt Postcard

## Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☒ A petition or processing fee in an amount of \$180.00 under 37 C.F.R. § 1.17(p).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

## Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☒ Please charge Deposit Account No. 23-1925 in the amount of \$180.00. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Date

2/8/08

Andrew D. Stover (Reg. No. 38,629)

I hereby certify that this correspondence is being deposited on the date noted below with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:



Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

2/8/08  
Date of Deposit

Andrew D. Stover, Reg. No. 38,629

Name of applicant, assignee or  
Registered Representative

Signature

2/8/08  
Date of Signature

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### THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(c), Applicants hereby cite the following reference(s):

FOREIGN PATENT DOCUMENTS		
DOCUMENT NUMBER	DATE	COUNTRY
WO 2007/030162 A2	03/2007	PCT

02/13/2008 LTRUONG 00000003 231925 10774751

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Applicants are enclosing Form PTO-1449 (one sheet), along with a copy of each listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As each of the listed references is in English, no further commentary is believed to be necessary, 37 C.F.R. §1.98(a)(3). Applicants respectfully request the Examiner's consideration of the above reference(s) and entry thereof into the record of this application.

By submitting this Statement, Applicants are attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

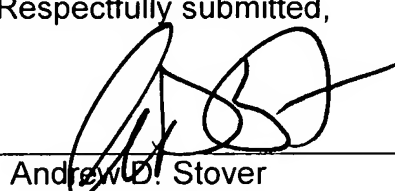
For purposes of 37 C.F.R. §1.704(d), the Applicant or Applicants certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement (a copy of any foreign communication first citing a listed reference is attached for the Examiner's reference).

Applicants have calculated a processing fee in the amount of \$180.00 to be due under 37 C.F.R. §1.17(p) in connection with the filing of this Information Disclosure Statement. Applicants have enclosed a check covering this fee, or authorized charging the fee to a deposit account or credit card, as indicated in the Transmittal accompanying this Information Disclosure Statement.

Respectfully submitted,

Date

2/8/08

  
Andrew D. Stover  
(Reg. No. 38,629)